

MEMO ENDORSED

ZEICHNER ELLMAN & KRAUSE LLP

1211 AVENUE OF THE AMERICAS

NEW YORK, NEW YORK 10036

TEL: (212) 223-0400

BRYAN D. LEINBACH
(212) 826-5313
bleinbach@zeklaw.com

WWW.ZEKLAW.COM

June 13, 2019

BY ECF

Hon. Katherine Polk Failla
United States District Judge
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom 618
New York, New York 10007

**Steven Nachshen v. BPP ST Owner LLC and Citibank, N.A.,
Case No.: 1:18-cv-10994 (KPF)(SN)**

Dear Judge Failla:

We are counsel to defendants BPP ST Owner LLC and Citibank, N.A. (collectively, “Defendants”). We write pursuant to this Court’s rules to approve an extension of the deadline to complete fact discovery set forth in the Civil Case Management Plan and Scheduling Order (“Scheduling Order”) [Docket No. 14] from July 12, 2019 to August 29, 2019, to coincide with the end of expert discovery. This is Defendants’ first request for an extension of the Scheduling Order. Plaintiff agrees to the requested extension and joins in this request.

Defendants seek this extension because the parties need additional time to complete fact discovery. To date the parties have exchanged written requests for discovery and responses and have negotiated a confidentiality stipulation and proposed protective order which has been submitted to the Court for approval. [See Docket No. 17]. The parties will need additional time to (i) address document production, (ii) exchange contention interrogatories and notices to admit, if any; and (iii) conduct depositions. In addition, the parties have and are continuing to discuss the resolution of this action without court intervention and would like additional time to pursue these discussions.

We thank the Court for its courtesy.

Respectfully submitted,

/s/Bryan D. Leinbach

cc: Glen Parker, Esq. (by ECF)

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Application GRANTED. The pretrial conference scheduled for July 23, 2019 is hereby ADJOURNED to September 3, 2019, at 11:00 a.m.

Dated: June 13, 2019
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla". The signature is written in a cursive, flowing style.

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE